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Attorney Docket No.: 55218-0511

Receipt

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Ashar AZIZ, et al.

Group Art Unit No.: 2165

Serial No.: 09/911,925

Examiner: Not Yet Assigned

Filed on: July 23, 2001

For: APPROACH FOR DETERMINING AN  
AMOUNT TO BILL A CUSTOMER FOR THE  
USE OF RESOURCES

Office of Initial Patent Examination  
Customer Service Center  
Commissioner for Patents  
Washington, D.C. 20231

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GROUP 3600

RESPONSE TO NOTICE FROM OFFICE OF INITIAL PATENT EXAMINATION  
(OIPE)

Sir:

Attached is a copy of the Request for Corrected Filing Receipt filed on January 31, 2002, and a copy of the Response to Request for Corrected Filing Receipt mailed February 28, 2002 by the Office of Initial Patent Examination (OIPE). Also attached is a copy of the Preliminary Amendment filed on August 24, 2001, date stamped received by the OIPE on August 28, 2001. The Preliminary Amendment was filed to add priority information to the application.

Approval and entry of the attached Request for Corrected Filing Receipt filed on January 31, 2002 is respectfully requested since the priority information was added to this application via a filed Preliminary Amendment that was filed during the required time period.

No fee is believed to be due in connection with this paper. However, during the

entire pendency of this application the Commissioner is hereby authorized to charge any fee that may become due, and to credit any overpayment, to our Deposit Account No. 50-1302. Please address any questions or correspondence to the undersigned.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP



Edward A. Becker  
Registration No. 37,777

Dated: March 15, 2002

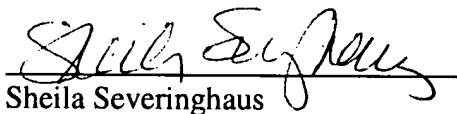
1600 Willow Street  
San Jose, California 95125-5106  
Telephone: (408) 414-1204  
Facsimile: (408) 414-1076

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Office of the Initial Patent Examination, Customer Service Center, Commissioner for Patents, Washington, D.C. 20231.

on March 15, 2002

by

  
Sheila Severinghaus



UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/911,925	07/23/2001	Ashar Aziz	55218-0511



Hickman Palermo Truong & Becker  
600 Willow Street  
San Jose, CA 95125-5106

MAR - 4 2002

CONFIRMATION NO. 4906  
  
\*OC00000007549075\*

Date Mailed: 02/28/2002

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

### Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.

Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.

A claim for priority cannot be made based on an application filed after the application making the claim.

Domestic and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 USC 111(b)(7) and 37 CFR 1.53(c)(4).

A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.

Foreign priority will appear on the Filing Receipt in the following order:  
**Country, Application number, Filing date.**

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S. Yemane  
Customer Service Center  
Office of Initial Patent Examination  
(703) 308-1202

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Acknowledgment Receipt

Mailing Date: January 3/2002

Attorney Docket No. 55218-0511

Serial No.: 09/911,925

Attorney: EAB/ss

First Class Mail

Inventor(s): Astar AZL, et al

Title: APPROACH FOR DETERMINING AN AMOUNT TO BILL A  
CUSTOMER FOR THE USE OF RESOURCES

Documents Enclosed

- 1) Request for a Corrected Filing Receipt (3 PGS)
- 2) Return Acknowledgment Postcard

*Kindly stamp the receipt date and return to addressee to acknowledge receipt of the above documents.*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Ashar AZIZ, et al.

Serial No.: 09/911,925

Filed: July 23, 2001

For: APPROACH FOR DETERMINING AN  
AMOUNT TO BILL A CUSTOMER FOR THE  
USE OF RESOURCES

Commissioner for Patents  
Office of the Initial Patent Examination  
Customer Service Center  
Washington, DC 20231



Group Art Unit No.: 2165

Examiner: Not Yet Assigned

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**REQUEST FOR A CORRECTED FILING RECEIPT**

Sir:

Please furnish the undersigned with a corrected filing receipt for the above-identified application. The correction needed is as follows:

(1) The domestic priority data is incorrect. The domestic priority data should read This application is a CIP of 09/502,170 02/11/00, This application claims benefit of 60/150,394 08/23/1999.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP



Edward A. Becker  
Registration No. 37,777

Dated: 1-30-02

1600 Willow Street  
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**CERTIFICATE OF MAILING**

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on January 31, 2002 by Street, San Jose



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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/911,925	07/23/2001	2165 664		55218-0511	18	41	6



Hickman Palermo Truong & Becker  
600 Willow Street  
San Jose, CA 95125-5106

CONFIRMATION NO. 4906

REPLACEMENT FILING RECEIPT



\*OC000000007344705\*

Date Mailed: 01/23/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Ashar Aziz, Fremont, CA;  
Thomas Markson, San Mateo, CA;  
Martin Patterson, Mountain View, CA;  
Mark Gray, Mountain View, CA;  
Christopher J. Conway, Palo Alto, CA;  
Patrick A. Tickle, San Francisco, CA;

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Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 09/502,170 02/11/2000

This Application claims benefit of 60/150,394 08/23/1999  
Foreign Applications

If Required, Foreign Filing License Granted 08/06/2001

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

Title

Approach for determining an amount to bill a customer for the use of resources

Preliminary Class

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related application(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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Acknowledgment Receipt

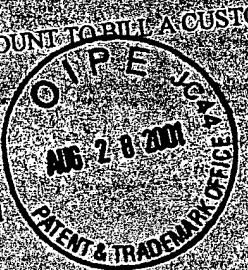
Mailing Date: August 24, 2001  
Attorney/Docket No.: 552.8.0511

Serial No.: 09/911,925

Inventor(s): Ashar AZIZ, et al.

Title: APPROACH FOR DETERMINING AN AMOUNT TO BILL A CUSTOMER  
FOR THE USE OF RESOURCES

Attorney: EAB:ss  
First Class Mail



Documents Enclosed:

- 1) Preliminary Amendment (3 pgs)
- 2) Return Acknowledgment Postcard

Kindly stamp the receipt date and return to addressee to acknowledge receipt of the above documents.

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CONFIRMATION NO. 4906

Bib Data Sheet

SERIAL NUMBER 09/911,925	FILING DATE 07/23/2001 RULE	CLASS 709	GROUP ART UNIT 3624	ATTORNEY DOCKET NO. 55218-0511
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**APPLICANTS**

Ashar Aziz, Fremont, CA;  
 Thomas Markson, San Mateo, CA;  
 Martin Patterson, Mountain View, CA;  
 Mark Gray, Mountain View, CA;  
 Christopher J. Conway, Palo Alto, CA;  
 Patrick A. Tickle, San Francisco, CA;

**\*\* CONTINUING DATA \*\*\*\*\***

THIS APPLICATION IS A CIP OF 09/502,170 02/11/2000  
 AND CLAIMS BENEFIT OF 60/150,394 08/23/1999

**\*\* FOREIGN APPLICATIONS \*\*\*\*\*****IF REQUIRED, FOREIGN FILING LICENSE GRANTED**

\*\* 08/06/2001

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**GROUP 3600**

Foreign Priority claimed	<input type="checkbox"/> yes <input type="checkbox"/> no	STATE OR COUNTRY	SHEETS DRAWING	TOTAL CLAIMS	INDEPENDENT CLAIMS
35 USC 119 (a-d) conditions met	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance	CA	18	41	6
Verified and Acknowledged	Examiner's Signature Initials				

**ADDRESS**

Hickman Palermo Truong & Becker  
 1600 Willow Street  
 San Jose, CA 95125-5106

**TITLE**

Approach for determining an amount to bill a customer for the use of resources

FILING FEE RECEIVED 664	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees ( Filing ) <input type="checkbox"/> 1.17 Fees ( Processing Ext. of time ) <input type="checkbox"/> 1.18 Fees ( Issue ) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit
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